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Summary record of the 56th meeting
Held at Headquarters, New York, on Monday, 23 May 1998, at 3 p.m.

Chairman: Ms. Daes ..... (Greece)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 3.10 p.m.

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 153: Human resources management (*continued*)

Agenda item 157: United Nations reform: measures and proposals (*continued*) (A/52/488)

1. **Mr. Kabir** (Bangladesh) said that his delegation welcomed the proposed Code of Conduct submitted by the Secretary-General (A/52/488). The reforms that had been introduced, which were aimed at ensuring efficiency, accountability and transparency in the delivery of the Organization's programmes, would require a new ethical and performance standard. Because the proposed Code was to be an integral part of the Staff Rules and Regulations and essentially updated the "Report on Standards of Conduct in the International Civil Service 1954", the General Assembly was the appropriate forum in which to deal with the issue, and it was the job of the Fifth Committee to make recommendations to the plenary Assembly. However, the possibility of seeking the views of the International Civil Service Commission (ICSC) and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) should not be ruled out.

2. The reaffirmation in the proposed Code of the principle that those who worked for the Organization must meet the highest standards of efficiency, competence and integrity was appropriate. It was also fitting that the Code should include provisions aimed at ensuring staff members' independence, maintaining the international character of their functions and reinforcing their commitment to the core values of the international civil service. Given the nature of the Organization, the importance of multiculturalism should also be suitably reflected.

3. The filing of financial disclosure statements provided for under draft staff regulation 1.2 was essential to ensure managerial accountability and integrity, promote transparency in administration and avoid conflicts of interest. The requirement, moreover, should not be restricted to high-level staff. His delegation did not share the view that financial disclosure would interfere with the right of privacy of staff members.

4. Concerning basic rights and obligations of staff, he said that draft staff rules 101.2 (d) to (i), which defined specific instances of prohibited conduct, should be implemented with great care. In particular, they should not deprive staff representatives of the opportunity of presenting their views in the Organization's legislative bodies.

5. Performance appraisal systems no doubt served a purpose by making staff members, including managers, accountable; a balance must be struck, however, between staff members' professional obligations and their need for personal freedom. The relevant provisions should therefore not be used to impose excessive workloads on staff by arbitrarily increasing post vacancy rates. In that regard, the comments by the President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System concerning the use of consultants and seconded staff and the issue of the uniform application of the Staff Rules to all Secretariat staff should be taken into consideration. At the same time, his delegation believed that staff representatives should be flexible and constructive in their approach to improving working conditions in the Organization.

6. **Mr. Yamagiwa** (Japan) welcomed delegations' near-unanimity in supporting a proposed Code of Conduct that would enable the Organization to secure the highest standards of efficiency, competence and integrity. His delegation would support all initiatives by the Secretary-General that would make the Organization more efficient and effective.

7. Concerning the procedure to be followed, he did not oppose consulting ICSC.

8. **Mr. Misran** (Malaysia) said that the proposed Code of Conduct clearly defined expected standards of personal and professional conduct along with the obligations of staff members and the core values of the international civil service. He expressed the hope that it would be adopted quickly. Regarding the financial disclosure statements which senior staff would have to make, he said that the concerns expressed by the representative of the Federation of International Civil Servants' Associations were clearly exaggerated and that the practice was already in place in the civil services of a number of Member States.

9. **Mr. Li Yanguo** (China) said that the proposed Code of Conduct was a more complete and precise version of the existing Staff Rules and Regulations and should be welcomed as an attempt to provide a better definition of the rights and obligations of international civil servants, the standards of conduct to which they should conform, the sanctions that could be imposed on them and the rewards they could receive. While the Fifth Committee was the competent body to decide on the Code, his delegation was pleased that the staff had been consulted during its preparation.

10. **Ms. Salim** (Assistant Secretary-General for Human Resources Management), speaking in response to a question from the representative of Pakistan, confirmed that the proposed Code of Conduct contained many provisions on the accountability of managers. That accountability had two aspects: accountability when standards of conduct were breached – draft staff regulation 1.2 defined the obligations of staff, while draft staff rule 101.2 (a) covered disciplinary procedures – and accountability for professional performance, which was covered under draft staff regulation 1.3 (a). If the General Assembly adopted the draft, the new Code would then form the basis for the administrative instructions that would be issued, pursuant to the General Assembly's request to the Secretary-General in its resolution 51/226, to define clearly the responsibility and accountability of programme managers.

11. The representative of Tunisia had noted that, under draft regulation 1.3 (b), the whole time of staff members was at the disposal of the Secretary-General and had expressed doubts about the acceptability of such a provision. The purpose of that regulation was to underline that working hours and leave depended on the needs of the service, that the Secretary-General could call on staff outside normal working hours and that they were required to comply, but the commentary made it clear that recourse to additional hours must be reasonable and in keeping with the needs of the service.

12. The representative of Cuba had wondered if the "Report on standards of conduct in the international civil service" drafted in 1954 by the International Civil Service Advisory Board remained valid. In his report on the establishment of a transparent and effective system of accountability and responsibility (A/C.5/49/1), the Secretary-General had indicated that the 1954 report would be reviewed and updated in order to enact a truly comprehensive code of conduct, but he had also stressed that it had never been conceived of as a substitute for mandatory rules, nor was it intended to have such general application. It was important to understand that the proposed Code of Conduct was only a revised and improved version of chapter I of the Staff Rules and that it was intended to confirm, not to modify, the core values of the international civil service set forth in the 1954 report.

13. Some delegations had suggested that the proposed Code of Conduct should be submitted to ICSC or other bodies of the system. Since the draft concerned United Nations staff alone, such a decision would be unprecedented and could have considerable impact on the work of the Fifth Committee; therefore, delegations must proceed with the greatest care.

14. **Mr. Vegega** (Vice-Chairman, International Civil Service Commission), in reply to questions from several delegations, confirmed that ICSC could give its views on the proposed Code of Conduct. The 1954 standards of conduct had been elaborated by the International Civil Service Advisory Board, which was the predecessor of ICSC. If the Fifth Committee chose to update the standards of conduct to make the text applicable to all United Nations organizations, ICSC would be the competent body to submit its views to the Committee; but it was for delegations to decide whether it was appropriate to consult ICSC. In any event, a unilateral decision by the United Nations on a question of that nature would have an impact on the system as a whole.

15. **Ms. Silot Bravo** (Cuba), reverting to the question whether the 1954 report remained valid, said that the statement of the Vice-Chairman of ICSC confirmed her delegation's fears about the impact which the adoption of the proposed Code would have on the core values of the international civil service, inasmuch as the former standards of conduct had applied to all United Nations organizations, whereas the new Code applied only to United Nations staff. All the bodies involved should be consulted, in particular the Sixth Committee and ICSC.

16. **Mr. Sulaiman** (Syrian Arab Republic) recalled that, at the previous meeting, his delegation had requested that the draft should be submitted to ICSC and ACABQ. That request had been supported by other delegations and he hoped that the Bureau would take it into consideration.

17. **Mr. Sial** (Pakistan) asked which bodies had reviewed the text of chapter I of the Staff Rules before its adoption. That information would be useful in determining which bodies should be consulted regarding the Code of Conduct.

18. **Mr. Armitage** (Australia) expressed surprise at the comment of the Vice-Chairman of ICSC that a unilateral decision by the United Nations would have an impact on the system as a whole and wondered whether that impact would be negative. Several delegations had suggested that all the entities involved should review the proposed Code of Conduct, but he doubted whether such an extremely complicated procedure would be useful.

19. **Mr. Bond** (United States of America) said that submitting the draft to ICSC and ACABQ would waste a great deal of time and would serve no purpose. If necessary, those bodies could participate in informal consultations.

20. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said, in reply to the representative of Pakistan, that the Fifth Committee alone had elaborated

the text of chapter I of the Staff Rules. No other body had been consulted.

21. **The Chairman** said that, if she heard no objection, she would take it that the Committee had concluded its general debate on the question.

22. *It was so decided.*

The meeting rose at 4 p.m.